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**UNITED STATES DISTRICT COURT**

**NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION**

ANIBAL RODRIGUEZ, JULIEANNA  
 MUNIZ, ELIZA CAMBAY, SAL CATALDO,  
 EMIR GOENAGA, JULIAN SANTIAGO,  
 HAROLD NYANJOM, KELLIE NYANJOM,  
 and SUSAN LYNN HARVEY, individually  
 and on behalf of all other similarly situated,

Plaintiffs,

v.

GOOGLE LLC,

Defendant.

Case No. 3:20-cv-04688-RS

**PLAINTIFFS' STATEMENT OF  
 RECENT DECISION IN OPPOSITION  
 TO GOOGLE'S MOTION TO  
 DISMISS; REQUEST FOR LEAVE  
 CIVIL L.R. 7-3(d)(2)**

Judge: Hon. Richard Seeborg

MTD Hearing Date: March 4, 2021  
 MTD Hearing Time: 1:30pm

1 **STATEMENT OF RECENT FGEKUKQP**

2 Pursuant to Civil Local Rule 7-3(d)(2), Plaintiffs respectfully seek leave to provide  
3 supplemental authority relevant to Google's pending Motion to Dismiss.

4 In another action in this District, Magistrate Judge Susan van Keulen granted in part and  
5 denied in part Google's motion to dismiss. *See McCoy v. Alphabet, Inc.*, et al., 5:20-cv-5427-  
6 SVK, Dkt. 43 (N.D. Cal. Feb. 2, 2021), attached as **Exhibit A**. This ruling follows Google's  
7 representation that its Web & App Activity on/off functionality is part of how Google "provides  
8 users with options to control third-party-app usage data" with Web & App Activity disclosures  
9 "informing users that they 'control whether app activity from your devices is saved' and can turn  
10 'off or delete past activity at any time.'" Dkt. 24 at 4 (citing Request for Judicial Notice Ex. 5  
11 (Web & App Activity page).)

12 The decision was issued after Plaintiffs in this case filed their opposition on January 14,  
13 2021. Dkt. 71.

14  
15 DATED: February 5, 2021

By: /s/ Mark C. Mao

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